THE HON'BLE SMT JUSTICE T.MEENA KUMARI

and

THE HON'BLE SRI JUSTICE P.LAKSHMANA REDDY

WRIT PETITION NO : 15260 of 2005

Dated: 26.07.2005

Between:

C. Veerabhadra Reddy, G. Jammuladinne, Allagadda, Kurnool District.

..... PETITIONER

AND

1 The Sub-Inspector of Police, Rudravaram P.S., Kurnool District.
2 The Superintendent of Police, Kurnool District at Kurnool.

.....RESPONDENTS

THE HON'BLE SMT JUSTICE T.MEENA KUMARI

AND

THE HON'BLE SRI JUSTICE P.LAKSHMANA REDDY

W.P.NO.15260 OF 2005

ORDER: (Per the Hon'ble Smt Justice T.Meena Kumari)

This is a taken up case on the Telegram issued by the petitioner seeking a direction to the respondents to produce his wife viz., Suseelamma, before this Court, on the ground that she was forcibly taken away by the police personnel of Rudravaram Police Station, Kurnool District on 10-07-2004 A.M. and to set her at liberty forthwith.

In pursuance of the instructions, a counter affidavit has been filed by Mr.Dasthagiri Babu, Sub Inspector of Police, Rudravaram Police Station, Kurnool District. It is alleged that on 9-7-2005 one Chekkara Laxmi Devi submitted a written complaint stating that her husband Pedda Veerabhadra Reddy is the absolute owner and possessor of land in Sy.No.249 of Mandaluru village of Rudravaram village. After the death of her husband, she came to know that the alleged detenue and her husband in a fraudulent manner obtained a sale deed from her husband with an intention to knock away the property. During the course of enquiry, it was revealed by the alleged

detenue and her husband that with regard to the said dispute, there is a suit in O.S.No.176 of 2005 pending. On coming to know the same, he has not taken any action in that regard as it is civil in nature. Apprehending that the petitioner and his wife would be taken into custody, he might have issued this telegram and as such there is no illegal confinement as alleged by the petitioner.

In that regard, the Panchayat Secretary, Jammuladinne issued a certificate that the alleged detenue is freely moving in the village and attending to her day today activities.

It is submitted on behalf of the learned Advocate General that the alleged detenue was not arrested and no case is pending against her and therefore, the question of her illegal detention does not arise.

In view of the submission made on behalf of the learned Advocate General and in view of the averments made in the counter and the

certificate issued by the Panchayat Secretary to the effect that the alleged detenue is freely moving in the village, we are of the view that no further orders are necessary in this writ petition and accordingly, the same is liable to be closed.

The writ petition is, accordingly, closed. However, considering the disputes between the parties, which are civil in nature and pending before the civil Court, the respondents are directed not to interfere with the life and liberty of the alleged detenue and her husband i.e, petitioner.

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T.MEENA KUMARI, J

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P.LAKSHMANA REDDY, J

26.07. 2005

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